

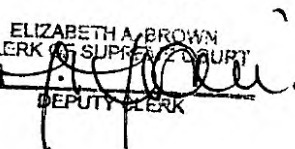
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

CHRISTOPHER SCOTT REEDER,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 86807-COA

FILED

MAY 01 2024

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER OF AFFIRMANCE

Christopher Scott Reeder appeals from a district court order denying a motion to correct an illegal sentence filed on March 22, 2023. Eighth Judicial District Court, Clark County; Joseph Hardy, Jr., Judge.

Reeder argues the district court erred by denying his motion to correct an illegal sentence. In his motion, Reeder claimed the district court lacked jurisdiction to impose his sentence. In particular, Reeder contended that (1) NRS 171.010 is “foundationally deficient” because its statutory source law was repealed in 1957 as part of Senate Bill (S.B.) 2; (2) the Nevada Revised Statutes, including his sentencing statutes, do not constitute binding law because they have no connection to the Statutes of Nevada; and (3) NRS 220.120 and NRS 220.170 are “null and void” because they were improperly enacted by amendment and their statutory source law was also repealed as part of S.B. 2.

A motion to correct an illegal sentence may only challenge the facial legality of the sentence: either the district court was without jurisdiction to impose a sentence or the sentence was imposed in excess of the statutory maximum. *Edwards v. State*, 112 Nev. 704, 708, 918 P.2d 321,

324 (1996). And such a motion “presupposes a valid conviction.” *Id.* (quotation marks omitted).

Although Reeder purports to challenge the district court’s jurisdiction only insofar as it pertains to his sentencing, his arguments implicate the validity of Nevada’s entire statutory scheme and, thus, the validity of his conviction. Therefore, Reeder’s claims are outside the scope of claims allowed in a motion to correct illegal sentence, and we conclude the district court did not err by denying Reeder’s motion.

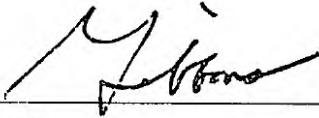
Reeder also argues the district court knowingly and intentionally lied about and mischaracterized his claims so that it could construe the motion as being outside the scope of a motion to correct an illegal sentence. After review, we conclude Reeder fails to demonstrate the district court mischaracterized his claims or that any mischaracterization was intentional. Therefore, we conclude Reeder is not entitled to relief based on this claim.

Reeder also argues the district court colluded with the State because its order denying his motion substantially mirrors the State’s opposition to his motion. At a hearing on the motion, the district court stated that it was denying the motion “for the reasons in the State’s substantive Opposition,” and the court instructed the State to prepare the written order. A district court may request a party to submit proposed findings of facts and conclusions of law, *see Byford v. State*, 123 Nev. 67, 69, 156 P.3d 691, 692 (2007), and the district court ordered the State to prepare the written order in accordance with the local rules, *see* EDCR 1.90(a)(4) (stating “the prevailing party shall submit a written order to the judge”); EDCR 7.21 (requiring the prevailing party to provide the court with a draft order or judgment). Therefore, Reeder fails to demonstrate that the district

court colluded with the State, and we conclude Reeder is not entitled to relief on this claim.

Reeder also argues the district court showed a hostile and biased attitude toward him. The record does not indicate that the district court's decision was based on knowledge acquired outside of the proceedings, and the decision does not otherwise reflect "a deep-seated favoritism or antagonism that would make fair judgment impossible." *Canarelli v. Eighth Jud. Dist. Ct.*, 138 Nev. 104, 107, 506 P.3d 334, 337 (2022) (internal quotation marks omitted); see *In re Petition to Recall Dunleavy*, 104 Nev. 784, 789, 769 P.2d 1271, 1275 (1988) (providing that rulings made during official judicial proceedings generally "do not establish legally cognizable grounds for disqualification"); see also *Rivero v. Rivero*, 125 Nev. 410, 439, 216 P.3d 213, 233 (2009) (stating that the burden is on the party asserting bias to establish sufficient factual grounds for disqualification), *overruled on other grounds by Romano v. Romano*, 138 Nev. 1, 6, 501 P.3d 980, 984 (2022). Therefore, Reeder fails to demonstrate that the district court was biased against him, and we conclude Reeder is not entitled to relief on this claim. Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Gibbons


_____, J.
Bulla


_____, J.
Westbrook

cc: Hon. Joseph Hardy, Jr., District Judge
Christopher Scott Reeder
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk